

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CARMEN FLORES, )  
Plaintiff, ) Case No. 07 C 6403  
v. ) Judge Hibbler  
DIAMOND BANK, ) Magistrate Judge Valdez  
Defendant. )

**NOTICE OF MOTION**

TO: See Certificate of Service

PLEASE TAKE NOTICE that on July 31, 2008 at 9:30 a.m., Plaintiff's counsel will appear before the Honorable William J. Hibbler, presiding in Courtroom 1225 of the Everett McKinley Dirksen Federal Building, 219 S. Dearborn St., Chicago, IL 60604 and then and there present *Plaintiff's Motion for Sanctions, to Compel Destruction of Plaintiff's Medical Records and to Quash Subpoenas to Peak Performance Health Care, TCF Bank and any Unknown Recipients or, in the Alternative, for a Protective Order Preventing Disclosure of Medical and Financial Records*, a copy of which is attached and hereby served upon you.

CARMEN FLORES, Plaintiff,

By: s/ Lance A. Raphael  
Lance A. Raphael, One of her attorneys

Dated: July 25, 2008

Lance A. Raphael  
Stacy M. Bardo  
Allison A. Krumhorn  
The Consumer Advocacy Center, P.C.  
180 West Washington, Suite 700  
Chicago, IL 60602  
312.782.5808

**CERTIFICATE OF SERVICE**

I, Sherry Joseph, paralegal, hereby certify under penalties of perjury as provided under 28 U.S.C. § 1746 that I used the CM/ECF system to serve the attached ***Notice of Motion*** and ***Plaintiff's Motion for Sanctions, to Compel Destruction of Plaintiff's Medical Records and to Quash Subpoenas to Peak Performance Health Care, TCF Bank and any Unknown Recipients or, in the Alternative, for a Protective Order Preventing Disclosure of Medical and Financial Records*** on July 25, 2008, which provides notice to the following counsel of record:

Mark D. Belongia  
Belongia & Shapiro, LLP  
53 W. Jackson Blvd., Ste. 315  
Chicago, IL 60604

/s/ Sherry Joseph

I, Sherry Joseph, paralegal, hereby certify under penalties of perjury as provided under 28 U.S.C. § 1746 that I served the attached ***Notice of Motion*** and ***Plaintiff's Motion for Sanctions, to Compel Destruction of Plaintiff's Medical Records and to Quash Subpoenas to Peak Performance Health Care, TCF Bank and any Unknown Recipients or, in the Alternative, for a Protective Order Preventing Disclosure of Medical and Financial Records*** on the following by regular mail, postage prepaid, on July 25, 2008:

Peak Performance Health Care  
Attn: Gloria Robles  
1749 N. Wells St.  
Chicago, IL 60614

TCF National Bank  
800 Burr Ridge Parkway  
Mail Code 380-00-0  
Burr Ridge, IL 60521

/s/ Sherry Joseph